

Reissue of Patent : 6,258,082
Issued : 10 July 2001

REMARKS

STATUS OF CLAIMS

Claims 1-15 were issued in the parent patent, U.S. Patent No. 6,258,082, and remain pending herein. By way of the present preliminary amendment, the Applicant has amended Claims 3-10, 12 and 13, broadening the overall claim scope. The Applicant has also added new broadening Claims 16-18. Accordingly, Claims 1-18 are now pending in the present reissue application.

This preliminary amendment is filed in a reissue application filed within 2 years of the issuance of the original patent date, 10 July 2001. Under 35 U.S.C. §251, claims in reissue applications filed within 2 years of original issuance are allowed to be broader in scope than those originally issued. Accordingly, the broader claims presented in this preliminary amendment are proper for consideration during reissue under 35 U.S.C. §251.

CONCURRENT REEXAMINATION PROCEEDING

The parent patent is currently undergoing a reexamination proceeding, Serial Number 90/006,089. Such reexamination was requested on 22 August 2001 and an Office Action in this reexamination proceeding was mailed on 28 May 2003. A response to this Office Action was filed by the Applicant on 10 July 2003, presenting the same amended claims as presented herein. With the filing of the above-captioned reissue application, the same claims are currently pending in both the above-captioned reissue application and the reexamination proceeding for the parent patent. The Applicant respectfully requests that the Examiner consider merging these separate proceedings or suspending one of them under 37 C.F.R. §1.565, whichever would be most appropriate.

SUPPORT FOR AMENDED CLAIMS UNDER 37 C.F.R. 1.173(C)

The Applicant has amended Claims 3-10, 12 and 13, resulting in a broadening of the scope of these claims with respect to the originally issued claims. The scope of these claims, as amended, encompasses subject matter which was previously disclosed but not claimed. The Applicant therefore submits that no new matter is introduced by these broadened claims. In particular, the Applicant notes that all of these amended claims are dependent from amended independent Claim 3. Claim 3 is fully supported by the various exemplary embodiments

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disclosed with reference to the figures and text of the specification. For instance, the Applicant would direct the Examiner to column 9, lines 45-48 of the patent.

The Applicant has also added new broadening Claims 16-18, which recite subject matter previously disclosed but not claimed. These claims add no new matter to the reissue application. The limitations provided within these claims are supported by the specification of the patent, and the Applicant respectfully directs the Examiner to Column 9, line 48 with respect to Claim 16, Column 8, line 57 with respect to Claim 17, and Column 9, line 6 with respect to Claim 18.

The Applicant therefore submits that the claims as amended herein are appropriately supported by the specification of the parent patent, as required by 37 C.F.R. §1.173(c).

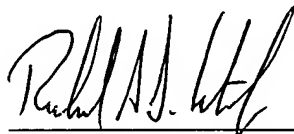
CONCLUSION

Based on the foregoing, the Applicant submits that the present reissue application is in condition for examination on the merits. If any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: 

Richard A. DeCristofaro
Registration No. 51,601
Attorney of Record
Customer No. 20,995
(949) 760-0404

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